



US Army Corps  
of Engineers  
Seattle District

# Public Notice of Application for Permit

## Regulatory Branch

Post Office Box 3755

Seattle, Washington 98124-3755

Telephone (206) 764-3495

ATTN: Randel Perry, Project Manager

Public Notice Date: September 13, 2004

Expiration Date: October 13, 2004

Reference: 200400995

Name: Anacortes, Port of

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Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of March 3, 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT - Port of Anacortes  
Post Office Box 297  
Anacortes, Washington 98221  
ATTN: Ms. Margaret Schwertner  
Telephone: (360) 299-1827

LOCATION - In Fidalgo Bay (Cap Sante Marina) at Anacortes, Washington.

WORK - The applicant proposes to repair existing structures; replace docks, piling, and floats; reconfigure moorage slips on Docks C through F; and upgrade utilities and services. Work involves replacement of existing dolphins, replacement of an existing pump-out barge with a new pump-out float, replacement of an existing travel lift with a new boat launch facility, replacement and relocation of an existing fuel dock, replacement of ramps for P and B docks, addition of a 1-ton boat hoist to the P dock, removal of old foundation material from the shoreline, and repairs to riprap shoreline armoring.

PURPOSE - Upgrade a public facility and ensure operational safety.

ADDITIONAL INFORMATION - Proposed actions are part of facility improvements in the west basin of the Cap Sante Marina. The marina serves industrial commercial and recreational vessels. The entrance to the marina is a Federal channel. Ancillary to this project the Port of Anacortes will undertake maintenance dredging of the Cap Sante Marina basin in the late summer / early fall of 2004 (U.S. Corps of Engineers (Corps) permit # 200200422, issued June 21, 2004).

ENDANGERED SPECIES - The bald eagle (*Haliaeetus leucocephalus*), listed threatened; marbled murrelet (*Brachyramphus marmoratus*), listed threatened; Puget Sound chinook (*Oncorhynchus tshawytscha*), listed threatened; Coastal/Puget Sound bull trout (*Salvelinus confluentus*), listed threatened; steller sea lion (*Eumetopias jubatus*), listed threatened; humpback whale (*Megaptera novaeangliae*), listed endangered; and leatherback sea turtle (*Dermochelys coriacea*), listed endangered in the state of Washington, occurs in the proposed project area. After receipt of comments from this public notice, the Corps will evaluate the potential impacts to the bald eagle, marbled murrelet, Puget Sound chinook, Coastal/Puget Sound bull trout, and steller sea lion, humpback whale, and leatherback sea turtle. A preliminary determination indicates that the activity may affect, but will not adversely affect listed chinook salmon, bull trout and bald eagles and will have no effect on listed, marbled murrelets, steller sea lion, humpback whale, and leatherback sea turtle. Informal consultation under Section 7 of the Act will be required.

ESSENTIAL FISH HABITAT – The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). EFH for Pacific salmon, Groundfish, Coastal Pelagic Species occurs in the project area. The proposed action would impact approximately 34 acres of EFH for these species.

If the Corps determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES - The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. The following is current knowledge of the presence or absence of historic properties and the effects of the undertaking upon these properties:

The Corps has completed the necessary review and coordination under Section 106 of the National Historic Preservation Act (NHPA). The Corps has determined that no historic properties are affected by the project as proposed. Unless new information arises, no further consultation is necessary under Section 106 of NHPA.

The District Engineer invites responses to this public notice from Federal, Native American Nations or tribal governments, State, and local agencies, historical and archeological societies, and other parties likely to have knowledge of or concerns with historic properties in the area.

PUBLIC HEARING - Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION - The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

200400995, Anacortes, Port of

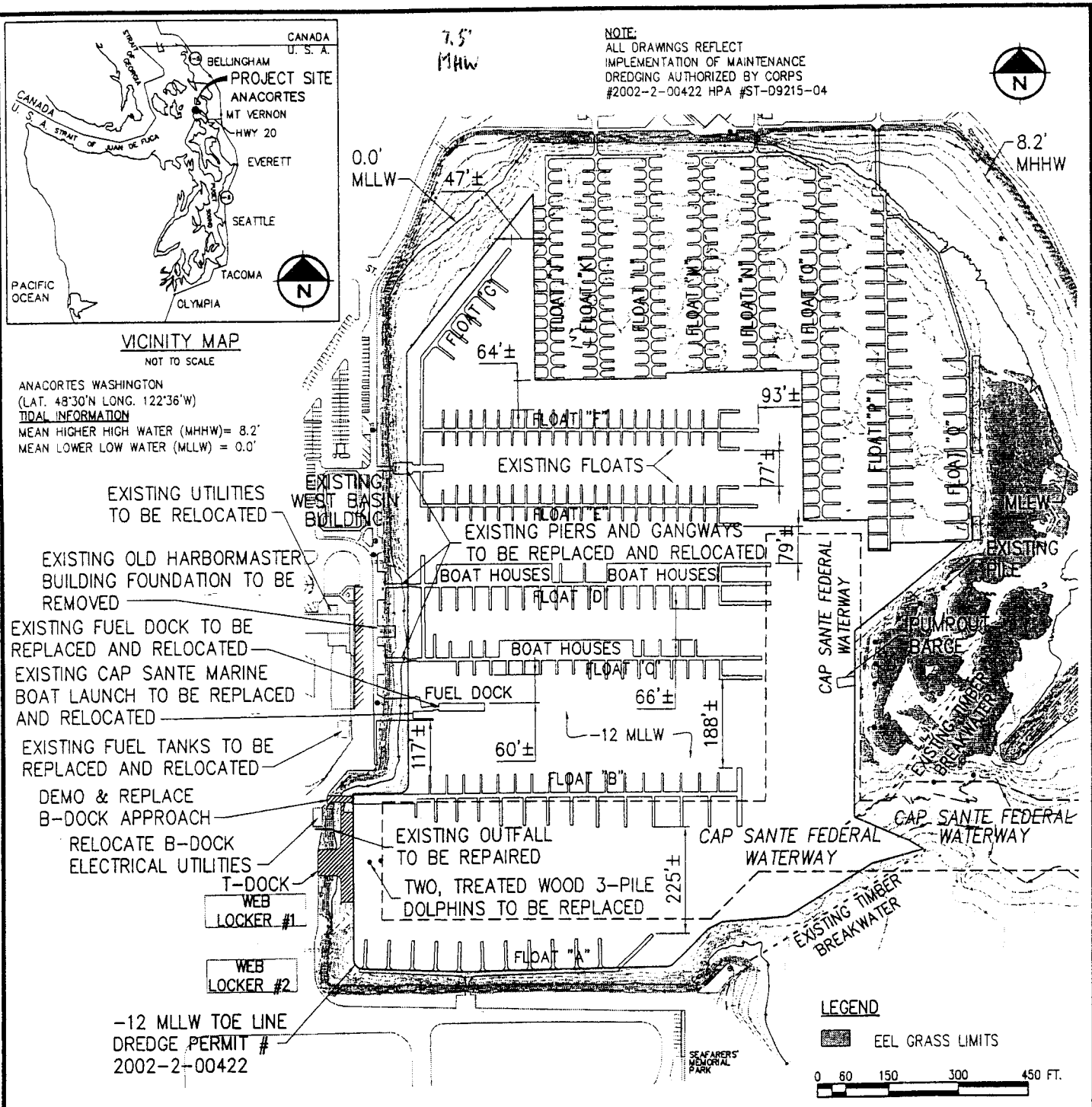
ADDITIONAL EVALUATION - The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program.

This proposal is the subject of Shorelines Permit application being processed by the City of Anacortes.

COMMENT AND REVIEW PERIOD – Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to [Randel.J.Perry@nws02.usace.army.mil](mailto:Randel.J.Perry@nws02.usace.army.mil). Conventional mail comments should be sent ATTN: Regulatory Branch. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Anacortes, Port of  
200400995

Encl  
Drawings (10)



PURPOSE: REPLACE/REPAIR MARINA FACILITIES; RECONFIGURE MOORAGE; RELOCATE/UPGRADE UPLAND UTILITIES & SERVICES.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

- 1) PORT OF ANACORTES
- 2) CITY OF ANACORTES

## EXISTING CAP SANTE BOAT HAVEN

PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

PROPOSED: CAP SANTE BOAT HAVEN WEST BASIN REDEVELOPMENT  
IN: FIDALGO BAY  
AT: ANACORTES, WA., SKAGIT CO.  
SEC 19, T23N, R02E  
SEC 18, T35N, R02E  
APPLICATION BY: PORT OF ANACORTES  
SHEET 1 of 10 DATE: JUNE 2004

NOTE:  
SEE SHEET 9 FOR ADDITIONAL  
PROPOSED UPLAND IMPROVEMENTS.

7.5' MHW

8.2' MHHW

0.0' MLLW

9th ST.

10' WIDE  
HEAD WALK

(2) 80'x6'  
GANGWAY

EXISTING WEST  
BASIN BUILDING

NEW MAIN  
APPROACH

DOCK

11th ST.

IMPROVED  
11TH ST.  
GATEWAY

PROPOSED PUMPOUT  
FLOAT DISCHARGE LINE

REPLACED CAP SANTE MARINE  
BOAT LAUNCH FACILITY

RELOCATED B-DOCK  
ELECTRICAL UTILITIES

REPLACED  
B-DOCK  
APPROACH

T-DOCK W/HOIST  
RECONFIGURATION  
SEE SHEET 6

WEB  
LOCKER #1

WEB  
LOCKER #2

ESPLANADE IMPROVEMENTS

RELOCATED FUEL FLOAT

INSTALL 2-20,000  
GAL UNDERGROUND  
FUEL STORAGE TANKS

REPLACE TWO, 3 PILE  
DOLPHINS WITH NEW STEEL  
OR CONCRETE 3 PILE  
DOLPHINS

RELOCATE  
THREE STEEL  
SMP PILE

NEW FLOATS,  
TYP.

10' MAINWALK, TYP.

FLOAT "A"

FLOAT "B"

FLOAT "C"

FLOAT "D"

FLOAT "E"

FLOAT "F"

62'

63'

64'

66'

68'

69'

742'

742'

82'

85'

225'

PROPOSED P-DOCK  
SMALL CRAFT HOIST

REPLACE PUMPOUT  
BARGE WITH NEW  
PUMPOUT FLOAT

EXISTING TIMBER  
BREAKWATER

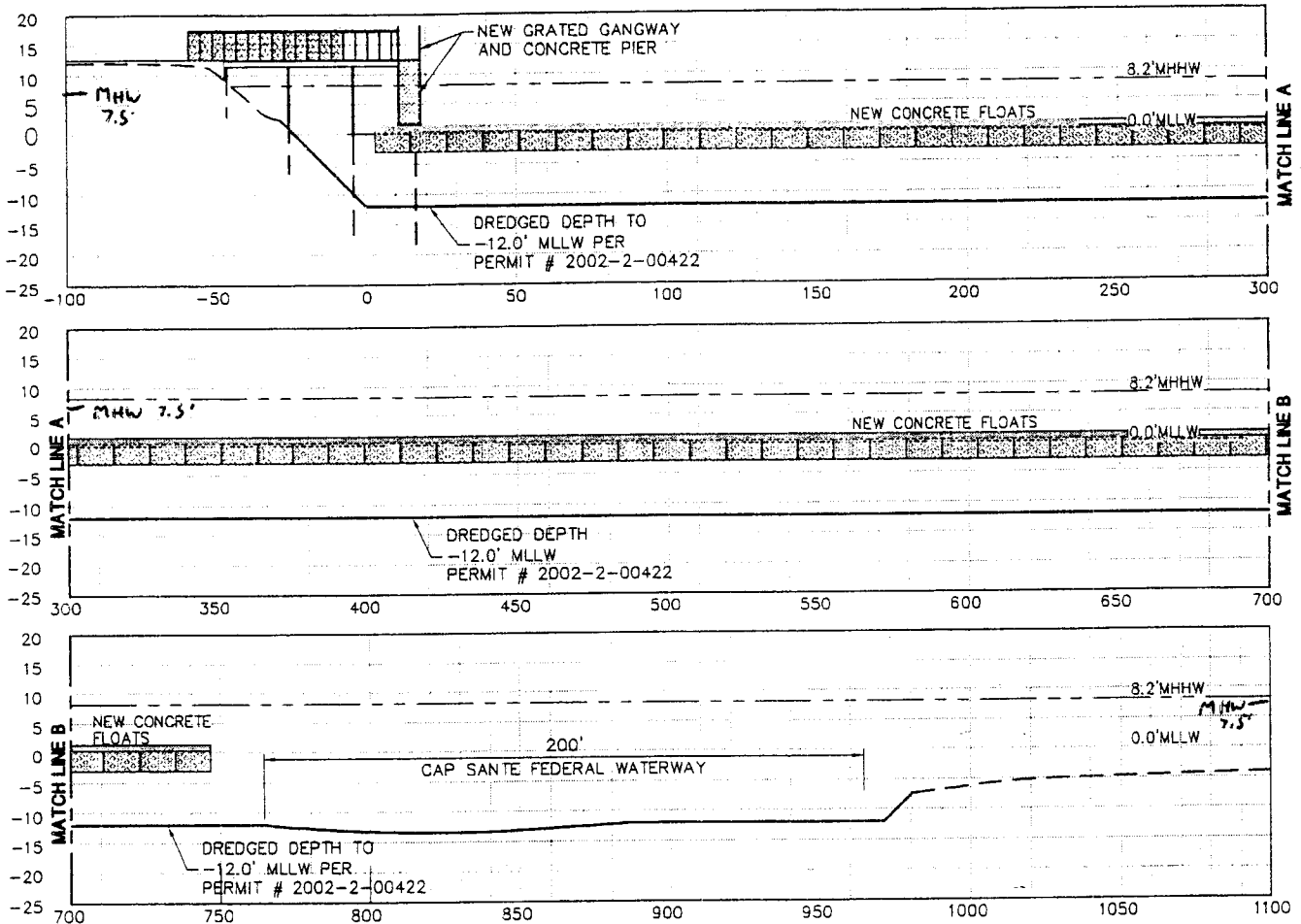
CAP SANTE FEDERAL  
WATERWAY

LEGEND

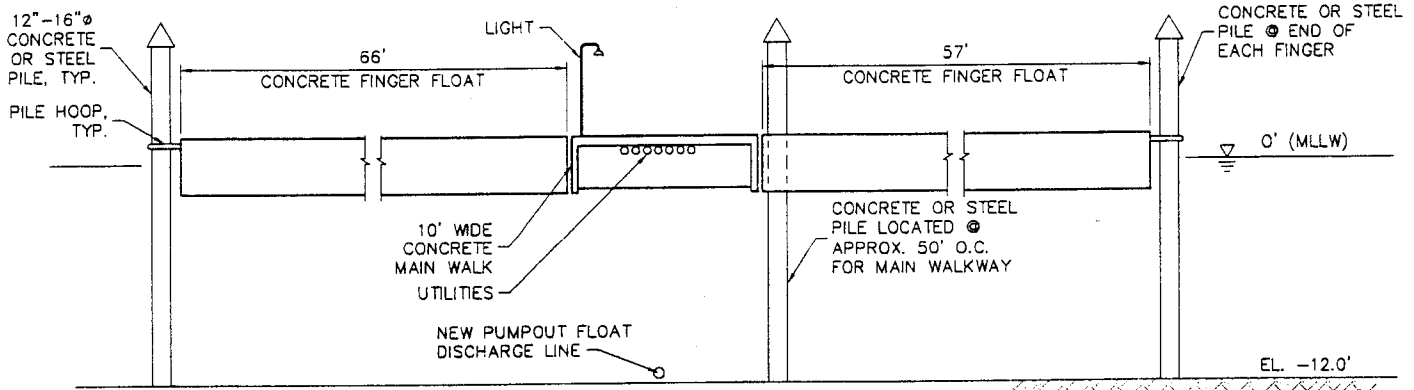
EEL GRASS LIMITS

0 60 150 300 450 FT.

SHEET 2 of 10 DATE: JUNE 2004



SECTION A-A



SECTION B-B

PURPOSE: REPLACE/REPAIR MARINA FACILITIES; RECONFIGURE MOORAGE; RELOCATE/UPGRADE UPLAND UTILITIES & SERVICES.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

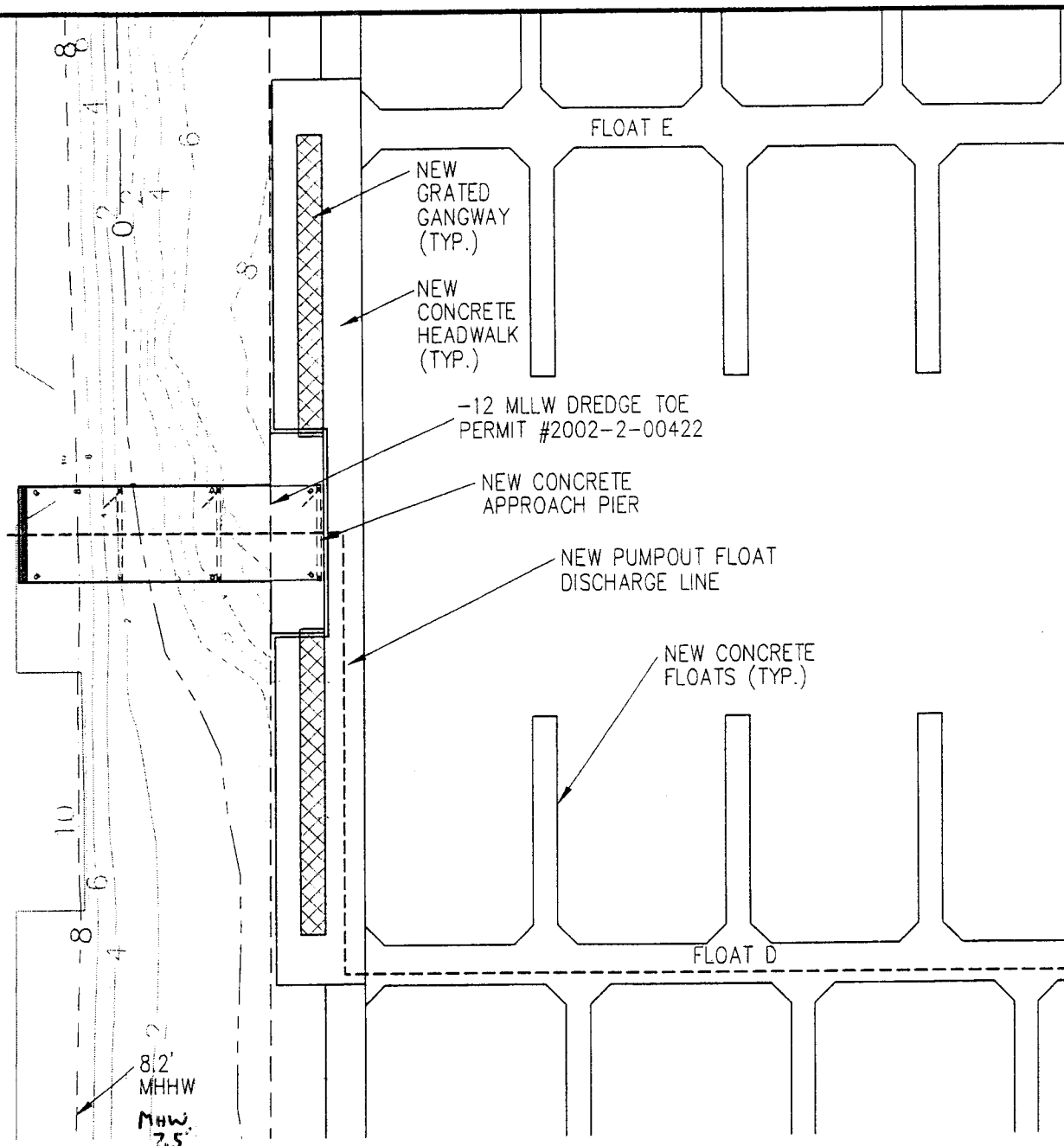
- 1) PORT OF ANACORTES
- 2) CITY OF ANACORTES

### TYPICAL SECTION PROPOSED RECONFIG. OF FLOATS 'C' - 'F'

PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

PROPOSED: CAP SANTE BOAT  
HAVEN WEST BASIN  
REDEVELOPMENT  
IN: FIDALGO BAY  
AT: ANACORTES, WA., SKAGIT CO.  
SEC 19, T23N, R02E  
SEC 18, T35N, R02E  
APPLICATION BY: PORT OF  
ANACORTES  
SHEET 3 of 10 DATE: JUNE 2004

DRAWINGS 2001\01435-PORT OF ANACORTES\01435.19-Cap. Sante Redevelopment\Final Permit\_3-31-04\01435.19-04-08.dwg



PROPOSED MAIN  
APPROACH DOCK  
FOR FLOATS "C" - "F"

PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

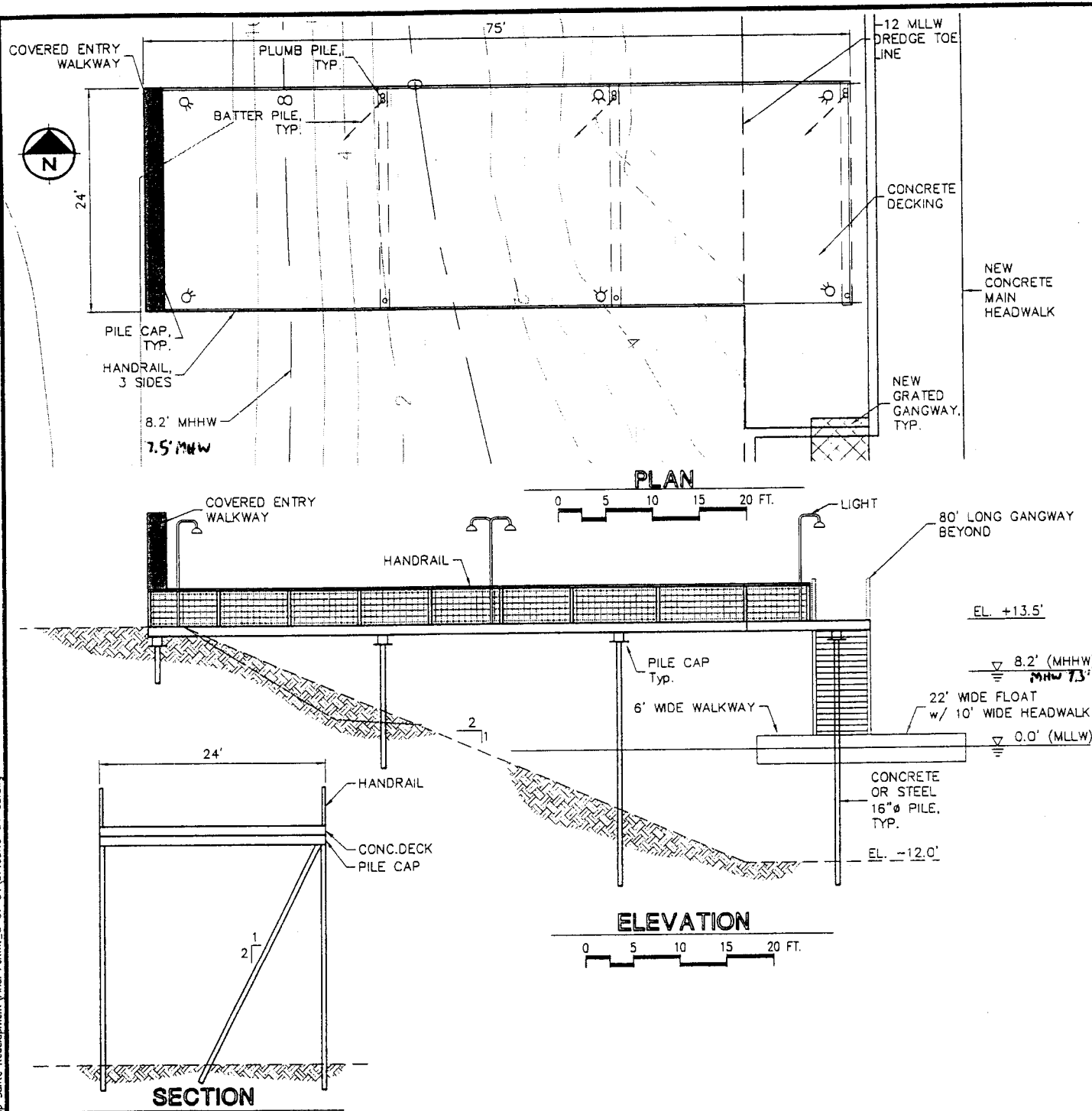
PURPOSE: REPLACE/REPAIR  
MARINA FACILITIES; RECONFIGURE  
MOORAGE; RELOCATE/UPGRADE  
UPLAND UTILITIES & SERVICES.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

- 1) PORT OF ANACORTES
- 2) CITY OF ANACORTES

PROPOSED: CAP SANTE BOAT  
HAVEN WEST BASIN  
REDEVELOPMENT  
IN: FIDALGO BAY  
AT: ANACORTES, WA., SKAGIT CO.  
SEC 19, T23N, R02E  
SEC 18, T35N, R02E  
APPLICATION BY: PORT OF  
ANACORTES  
SHEET 4A of 10 DATE: JUNE 2004



PURPOSE: REPLACE/REPAIR MARINA FACILITIES; RECONFIGURE MOORAGE; RELOCATE/UPGRADE UPLAND UTILITIES & SERVICES.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

- 1) PORT OF ANACORTES
- 2) CITY OF ANACORTES

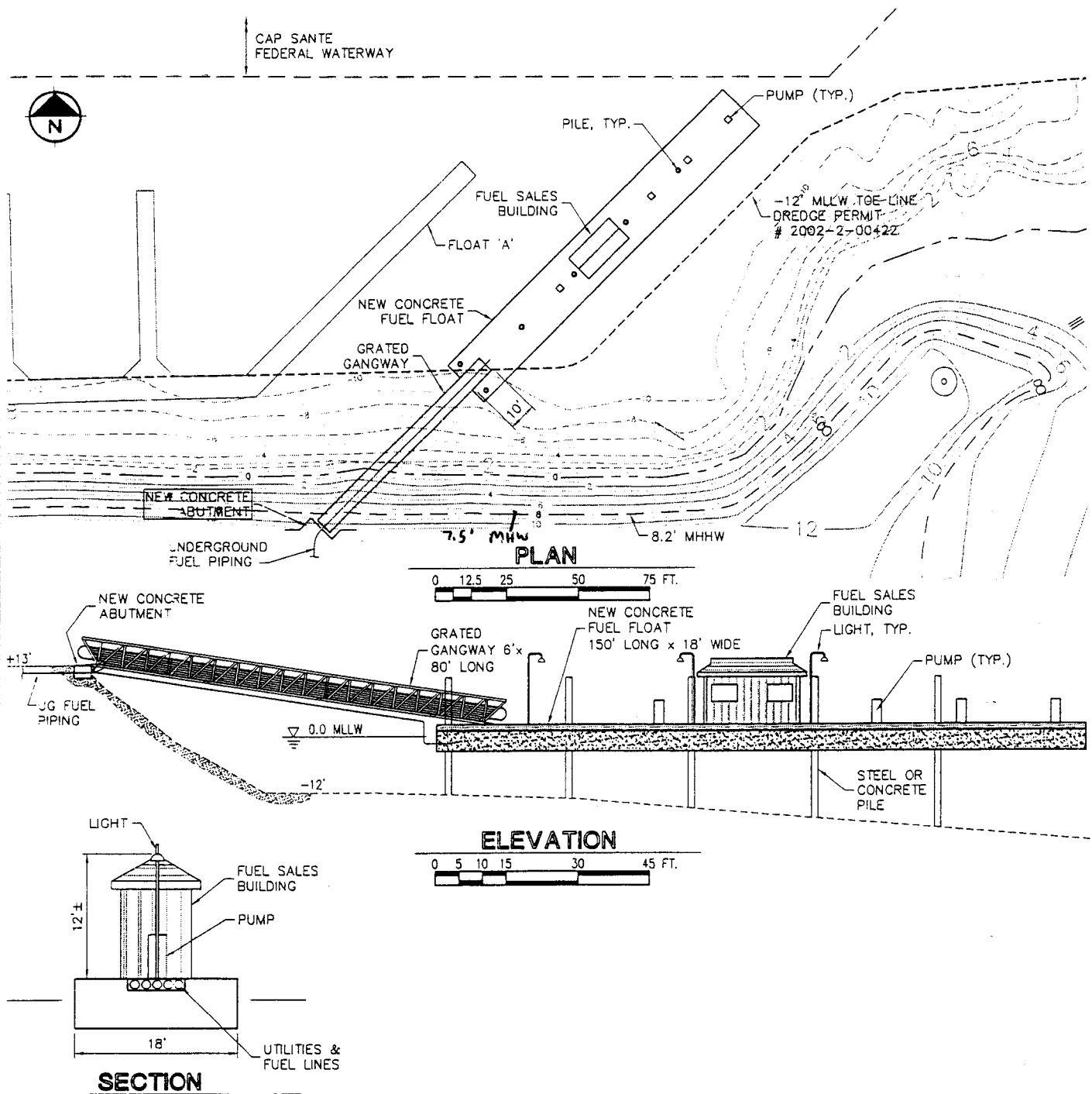
## PROPOSED MAIN APPROACH DOCK FOR FLOATS "C" - "F"

PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

PROPOSED: CAP SANTE BOAT  
HAVEN WEST BASIN  
REDEVELOPMENT  
IN: FIDALGO BAY  
AT: ANACORTES, WA., SKAGIT CO.  
SEC 19, T23N, R02E  
SEC 18, T35N, R02E  
APPLICATION BY: PORT OF  
ANACORTES  
SHEET 4B of 10 DATE: JUNE 2004



Drawings: 2001\01435-PORT OF ANACORTES\01435-19-Cap Santa Redevelopment\Final Permit\_3-31-04\01435-19-04-08.dwg



PURPOSE: REPLACE/REPAIR MARINA FACILITIES; RECONFIGURE MOORAGE; RELOCATE/UPGRADE UPLAND UTILITIES & SERVICES.

DATUM: 0.0' M.L.L.W.

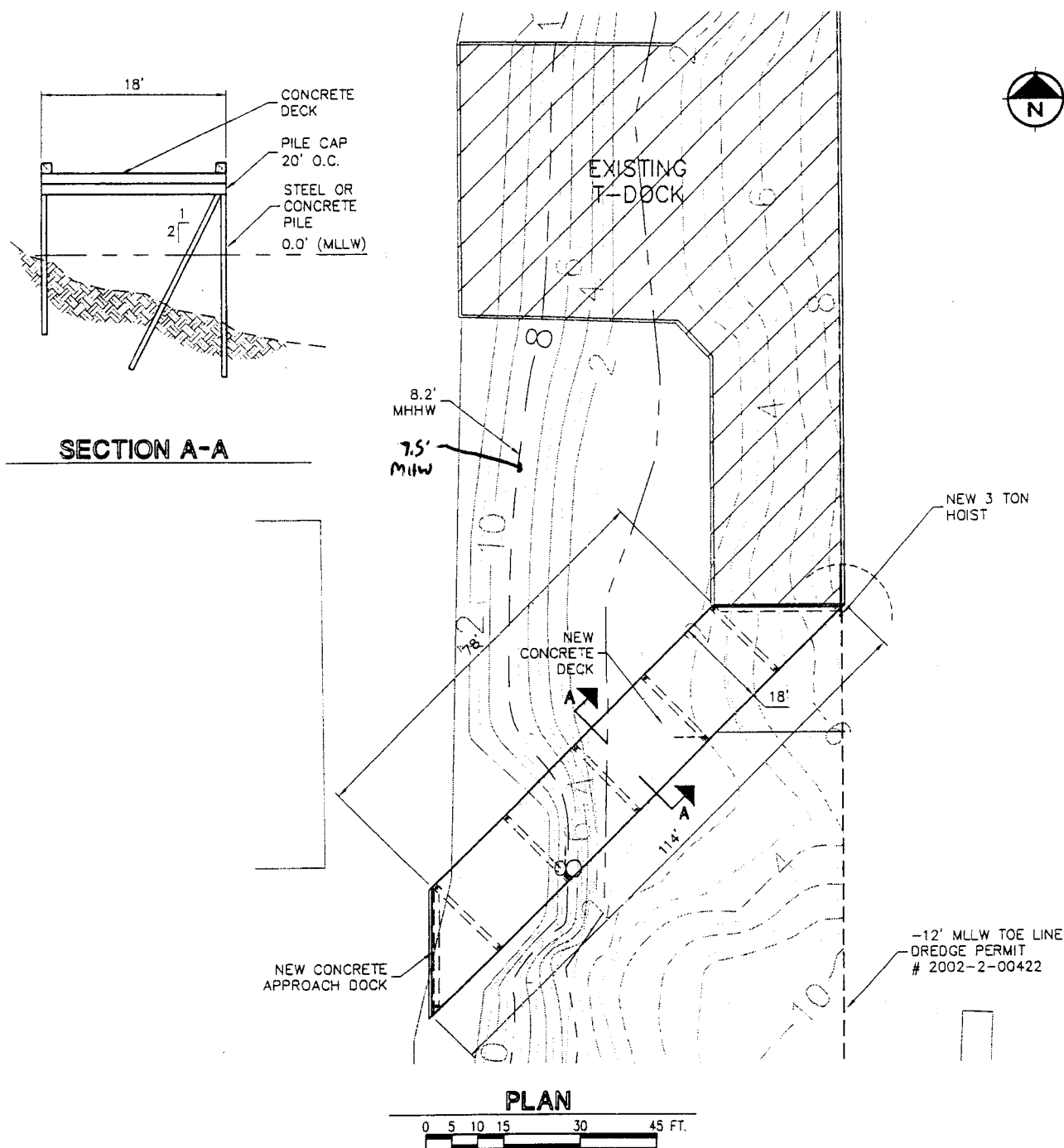
ADJACENT PROPERTY OWNERS:

- 1) PORT OF ANACORTES
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## PROPOSED RELOCATED FUEL FLOAT

PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

PROPOSED: CAP SANTE BOAT  
HAVEN WEST BASIN  
REDEVELOPMENT  
IN: FIDALGO BAY  
AT: ANACORTES, WA., SKAGIT CO.  
SEC 19, T23N, R02E  
SEC 18, T35N, R02E  
APPLICATION BY: PORT OF  
ANACORTES  
SHEET 5 of 10 DATE: JUNE 2004



PURPOSE: REPLACE/REPAIR  
MARINA FACILITIES; RECONFIGURE  
MOORAGE; RELOCATE/UPGRADE  
UPLAND UTILITIES & SERVICES.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

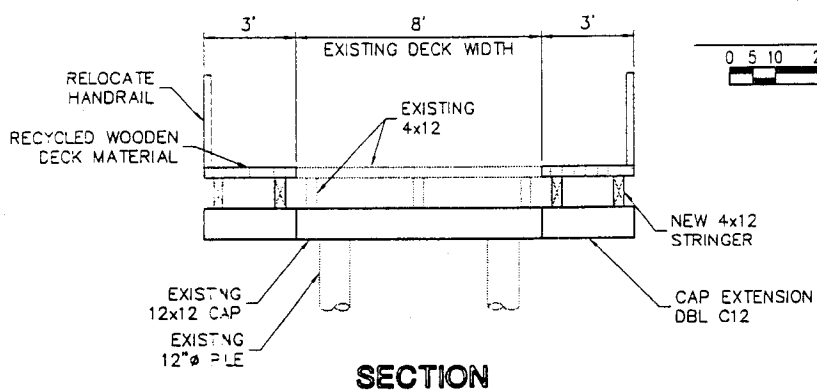
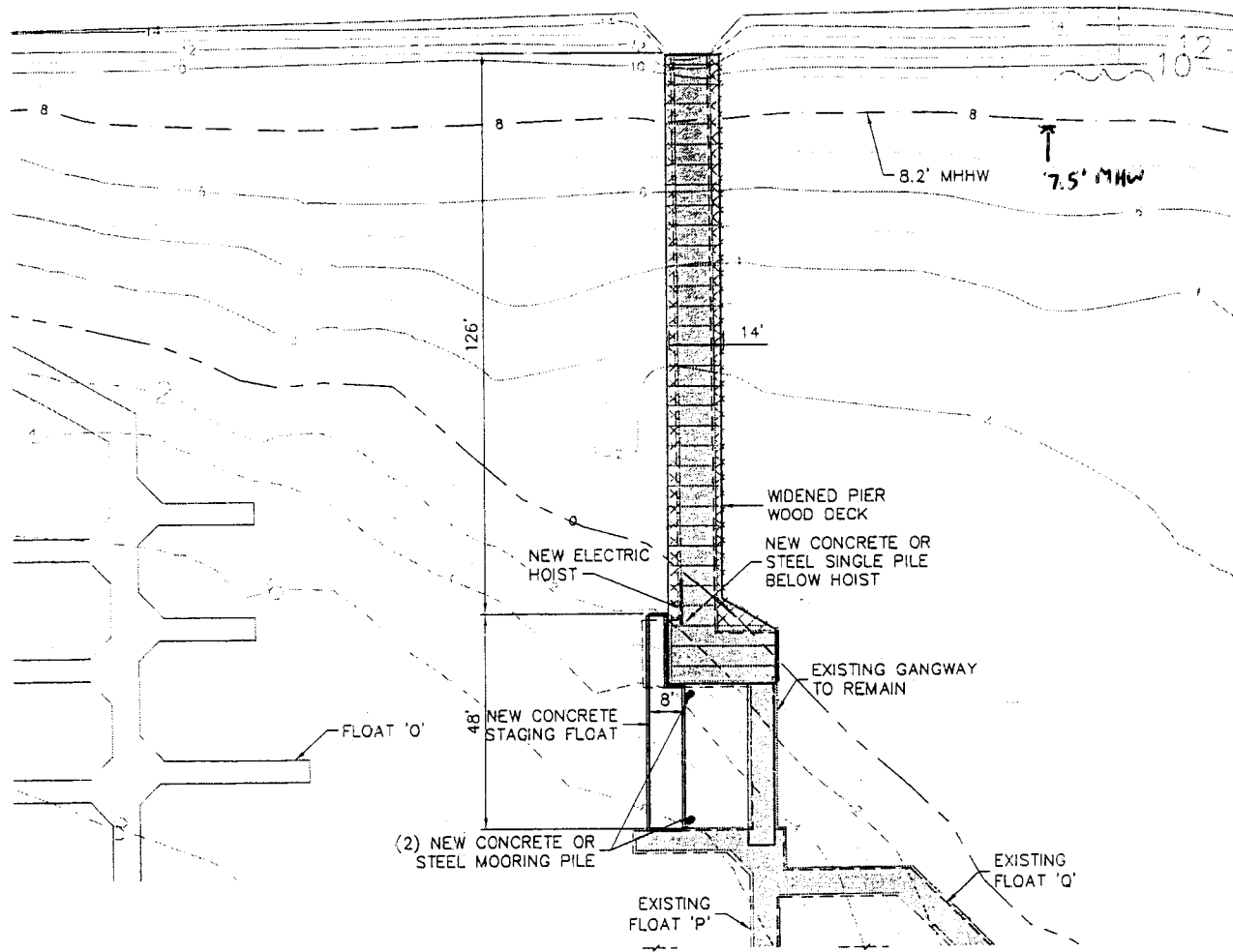
- 1) PORT OF ANACORTES
- 2) CITY OF ANACORTES

PROPOSED T-DOCK  
EXTENSION WITH HOIST

PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

PROPOSED: CAP SANTE BOAT  
HAVEN WEST BASIN  
REDEVELOPMENT  
IN: FIDALGO BAY  
AT: ANACORTES, WA., SKAGIT CO.  
SEC 19, T23N, R02E  
SEC 18, T35N, R02E  
APPLICATION BY: PORT OF  
ANACORTES

SHEET 6 of 10 DATE: JUNE 2004



PURPOSE: REPLACE/REPAIR MARINA FACILITIES; RECONFIGURE MOORAGE; RELOCATE/UPGRADE UPLAND UTILITIES & SERVICES.

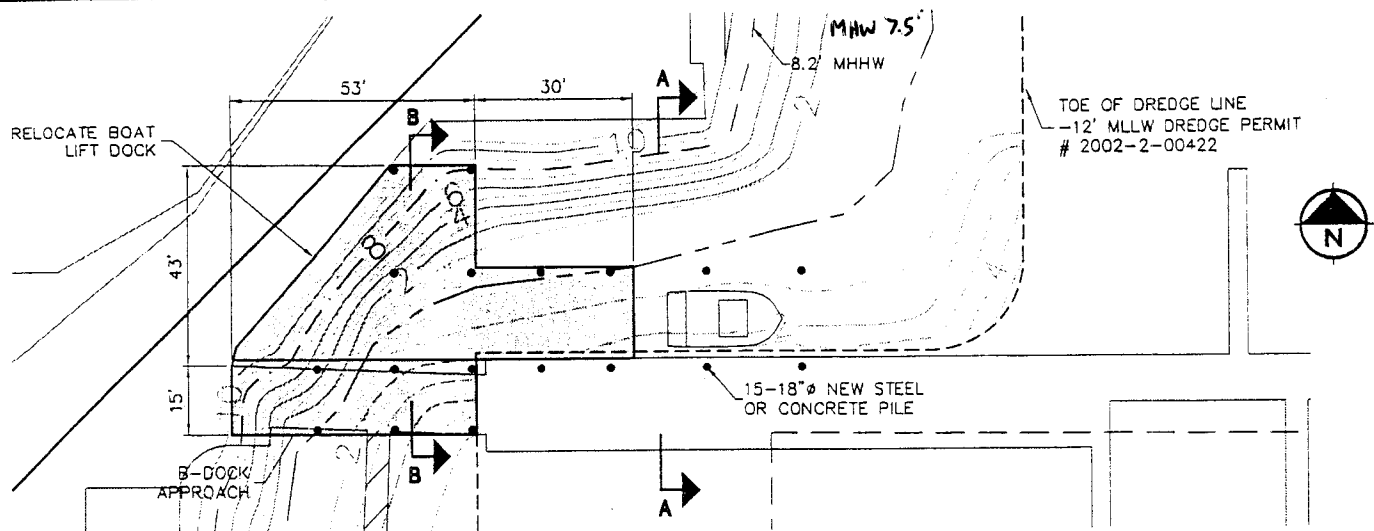
DATUM: 0.0' M.L.L.W.  
ADJACENT PROPERTY OWNERS:  
1) PORT OF ANACORTES  
2) CITY OF ANACORTES

### PROPOSED P-DOCK SMALL CRAFT HOIST

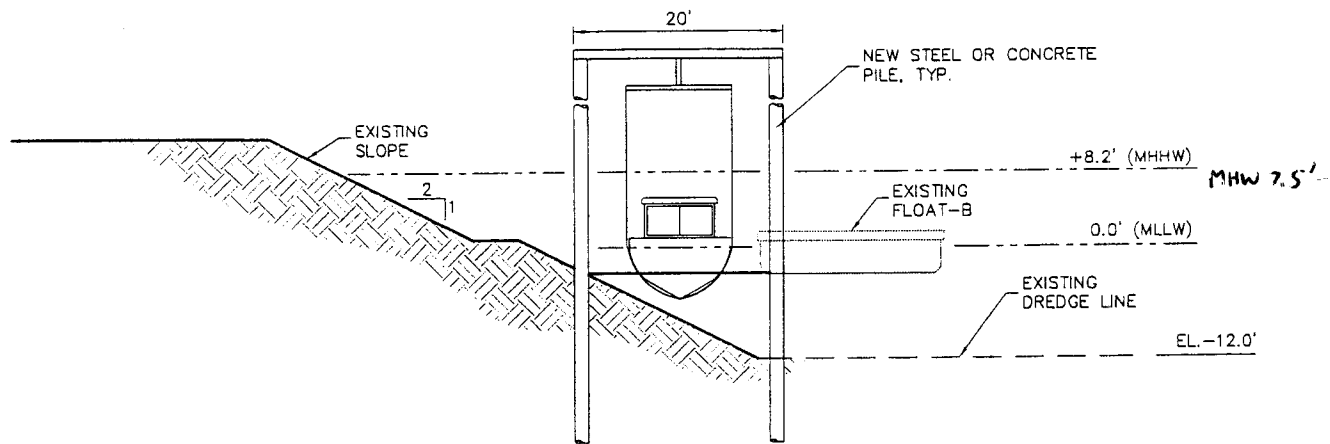
PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

PROPOSED: CAP SANTE BOAT  
HAVEN WEST BASIN  
REDEVELOPMENT  
IN: FIDALGO BAY  
AT: ANACORTES, WA., SKAGIT CO.  
SEC 19, T23N, R02E  
SEC 18, T35N, R02E  
APPLICATION BY: PORT OF  
ANACORTES  
SHEET 7 of 10 DATE: JUNE 2004

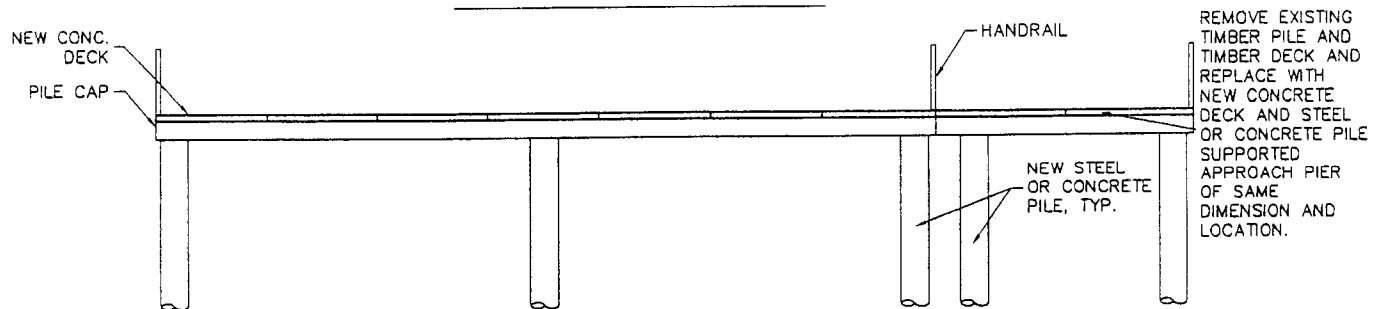
DRAWINGS: 2001\01435-PORT OF ANACORTES\01435 19-Cap Sante Redevelopment\Final Permit\_3-31-04\01435 19-04-08.dwg



PLAN



SECTION A-A



SECTION B-B

PURPOSE: REPLACE/REPAIR MARINA FACILITIES; RECONFIGURE MOORAGE; RELOCATE/UPGRADE UPLAND UTILITIES & SERVICES.

DATUM: 0.0' M.L.L.W.

ADJACENT PROPERTY OWNERS:

- 1) PORT OF ANACORTES
- 2) CITY OF ANACORTES

## PROPOSED CAP SANTE MARINE BOAT LAUNCH FACILITY

PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

PROPOSED: CAP SANTE BOAT  
HAVEN WEST BASIN  
REDEVELOPMENT

IN: FIDALGO BAY

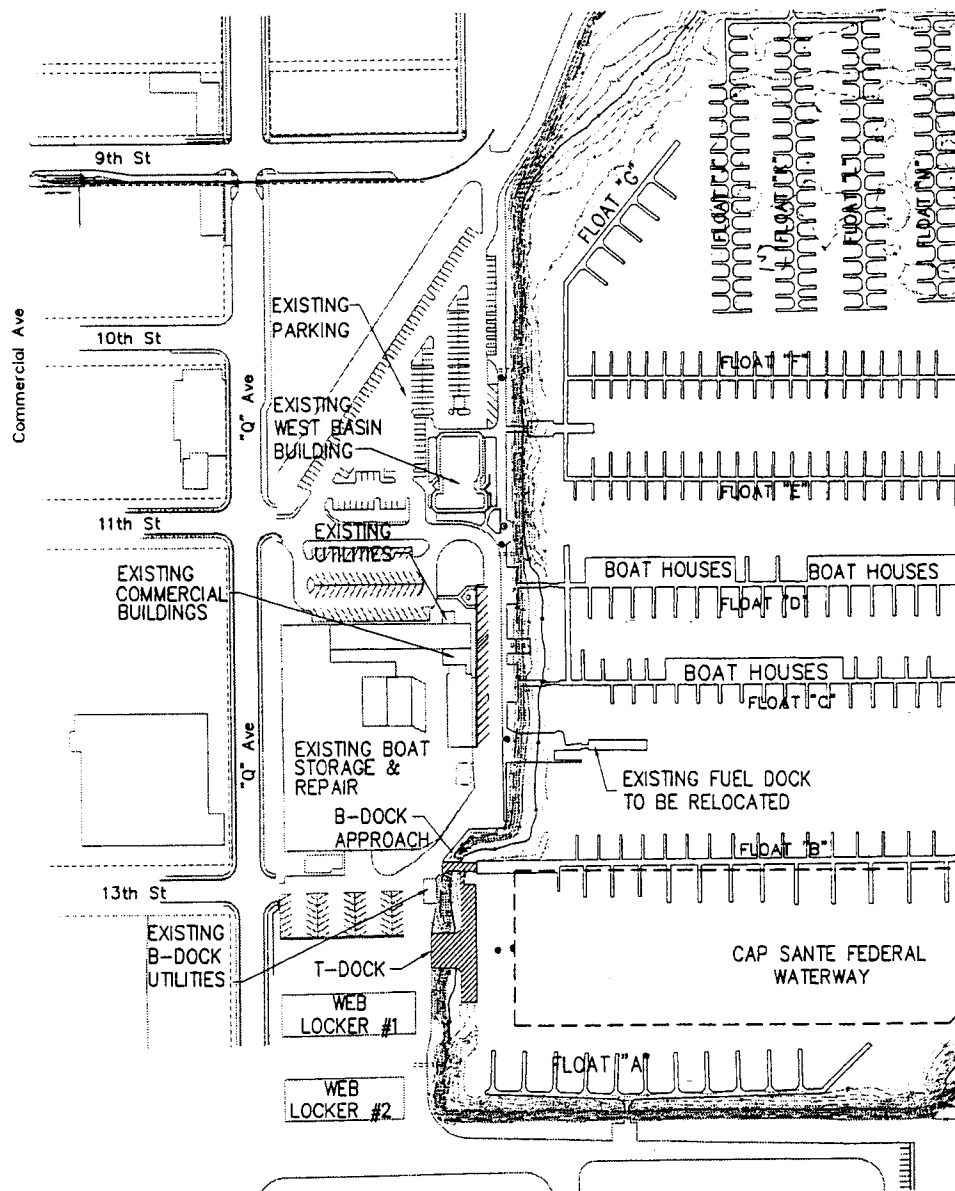
AT: ANACORTES, WA., SKAGIT CO.

SEC 19, T23N, R02E

SEC 18, T35N, R02E

APPLICATION BY: PORT OF  
ANACORTES

SHEET 8 of 10 DATE: JUNE 2004



PURPOSE: REPLACE/REPAIR  
MARINA FACILITIES; RECONFIGURE  
MOORAGE; RELOCATE/UPGRADE  
UPLAND UTILITIES & SERVICES.

DATUM: 0.0' M.L.L.W.

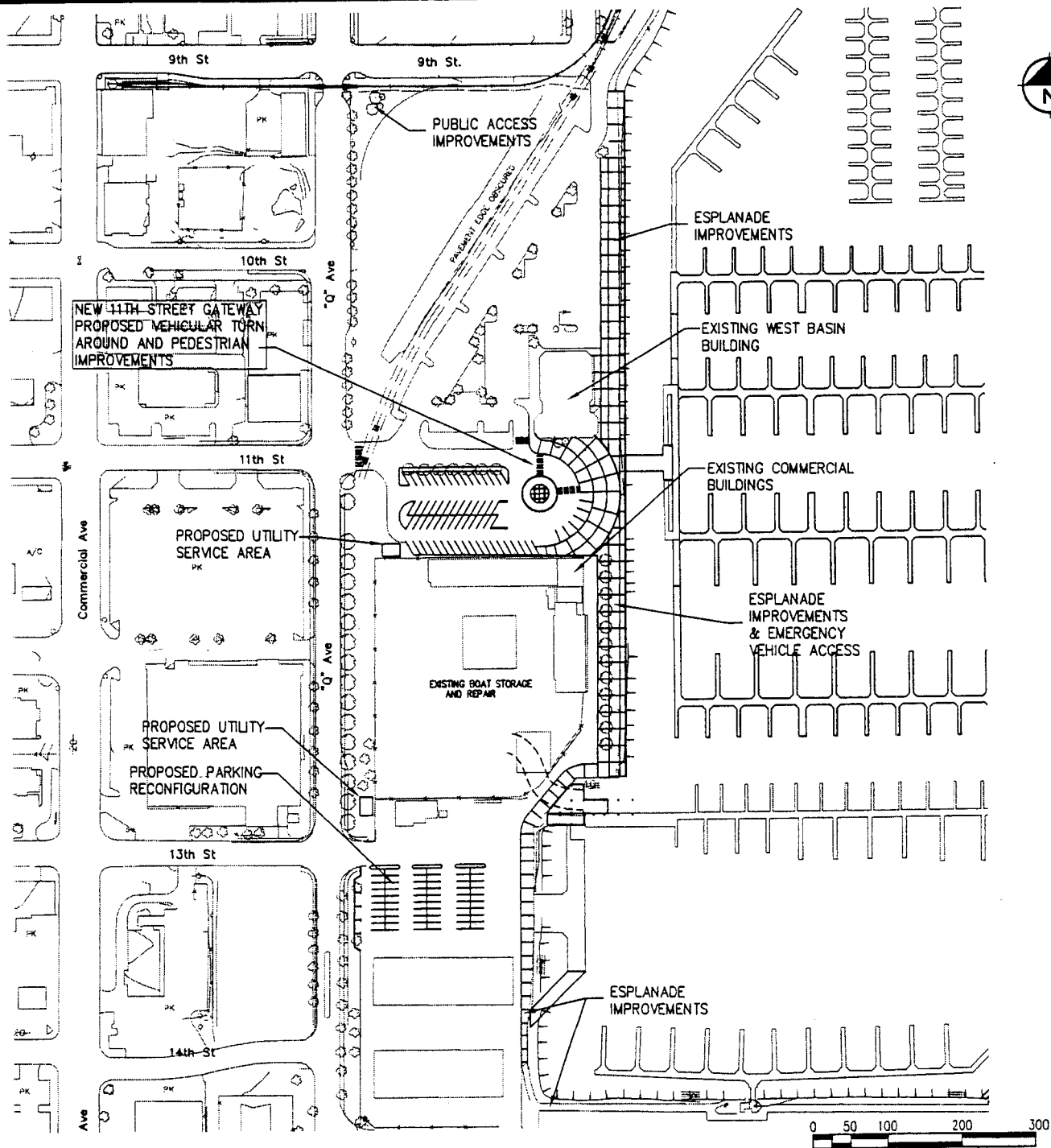
ADJACENT PROPERTY OWNERS:

- 1) PORT OF ANACORTES
- 2) CITY OF ANACORTES

## EXISTING UPLANDS CAP SANTE BOAT HAVEN

PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

PROPOSED: CAP SANTE BOAT  
HAVEN WEST BASIN  
REDEVELOPMENT  
IN: FIDALGO BAY  
AT: ANACORTES, WA., SKAGIT CO.  
SEC 19, T23N, R02E  
SEC 18, T35N, R02E  
APPLICATION BY: PORT OF  
ANACORTES  
SHEET 9 of 10 DATE: JUNE 2004



PURPOSE: REPLACE/REPAIR MARINA FACILITIES; RECONFIGURE MOORAGE; RELOCATE/UPGRADE UPLAND UTILITIES & SERVICES.

DATUM: 0.0' M.L.L.W.

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## PROPOSED UPLANDS CAP SANTE BOAT HAVEN

PORT OF ANACORTES  
P.O. BOX 297  
ANACORTES, WA 98221

PROPOSED: CAP SANTE BOAT  
HAVEN WEST BASIN  
REDEVELOPMENT

IN: FIDALGO BAY

AT: ANACORTES, WA., SKAGIT CO.

SEC 19, T23N, R02E

SEC 18, T35N, R02E

APPLICATION BY: PORT OF  
ANACORTES

SHEET 10 of 10 DATE: JUNE 2004



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600  
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

Notice of Application for  
Water Quality Certification  
and for  
Certification of Consistency with the  
Washington Coastal Zone Management Program

Date: September 13, 2004

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200400995 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator  
Department of Ecology  
SEA Program  
Post Office Box 47600  
Olympia, Washington 98504-7600